

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND										
1 Date of Request: <u>May 17, 2002</u>		2 Serial/Patent # <u>10/041,600</u>								
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT						
	Filing			\$						
	Amendment			\$						
	Extension of Time			\$						
	Notice of Appeal/Appeal	3	4/15/02	\$130.00						
<input checked="" type="checkbox"/>	Petition			\$						
	Issue			\$						
	Cert of Correction/Terminal Disc.			\$						
	Maintenance			\$						
	Assignment			\$						
	Other			\$						
7 TOTAL AMOUNT OF REFUND			\$130.00							
8 TO BE REFUNDED BY: <u>OC</u>										
10 REASON:		<input checked="" type="checkbox"/> Treasury Check								
	Overpayment	Credit Deposit A/C #:								
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px; text-align: center;">--</td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>					--			
		--								
<input checked="" type="checkbox"/>	No Fee Due (Explanation):									
<u>Filing Date Grant</u>										
11 REFUND REQUESTED BY:										
TYPED/PRINTED NAME: <u>NANCY JOHNSON</u>		TITLE: <u>Petitions Money</u>								
SIGNATURE: <u>Nancy Johnson</u>		PHONE: <u>703-305-0309</u>								
OFFICE: <u>Petitions-4700</u>										
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****										
APPROVED: <u>Alicia Kelly</u>		DATE: <u>5-28-02</u>								

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance  
Refund Branch  
Crystal Park One, Room 802B



03C07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: TRIEBEL=2A

In re Application of:	)	Group Art Unit: 1619
	)	
Frederic TRIEBEL	)	Examiner:
	)	
Appln. No.: 10/041,600	)	Washington, D.C.
	)	
Date Filed: January 10, 2002	)	Confirmation No. 5099
	)	
For: USE OF MHC CLASS II	)	April 15, 2002
LIGANDS AS ADJUVANT...	)	MONDAY

TRAVERSAL OF NOTICE OF OMITTED ITEMS

RECEIVED

MAY 09 2002

OFFICE OF PETITIONS

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Notice of Omitted Items in a Non-Provisional Application mailed February 13, 2002, copy attached, appears to be erroneous, as applicant's non-provisional application identified above was filed **complete**. As evidence of this fact, attached hereto is a copy of the postcard receipt date-stamped by the U.S. PTO on January 10, 2002, evidencing receipt of twenty-five (25) pages of specification and claims, eight (8) sheets of drawing (Figs. 1-10) and two sheets of declaration, as well as a Preliminary Amendment and Form PTO-

Refund Ref: 05/28/2002 1449 0030007876

Credit Card Refund Total: \$130.00  
As a postcard receipt is all the evidence necessary

Am Exp.: XXXXXXXXXXXX1004  
to establish timely filing of the complete application,

Adjustment date: 05/28/2002 AKELLEY  
04/16/2002 SFELEKE1 00000049 10041600  
01 FC:122 -130.00 OP

04/16/2002 SFELEKE1 00000049 10041600  
01 FC:122 130.00 OP

withdrawal of the notice is appropriate and warranted.

Applicant so requests.


However, as page 7 has apparently been lost in the PTO, attached is a clean copy of page 7.

Also attached is Credit Card Payment Form, PTO-2038, authorizing payment of the petition fee of \$130.00 per 37 CFR 1.17(h). Applicant requests that this petition fee be refunded to applicant.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By

  
Sheridan Neimark  
Registration No. 20,520

SN:jec  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
F:\S\Ser1\TRIEBEL2A\PTO\Traversal15Apr02.doc

RECEIVED

MAY 09 2002

OFFICE OF PETITIONS



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/041,600	01/10/2002	Frederic Triebel	TRIEBEL=2A

CONFIRMATION NO. 5099

## FORMALITIES LETTER

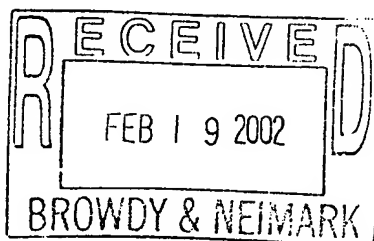


\*OC00000007473176\*

DOCKETED  
MISSING PARTS NON EXT 13APR2002

Date Mailed: 02/13/2002

BROWDY AND NEIMARK, P.L.L.C.  
ATTORNEYS AT LAW  
Suite 300  
624 Ninth Street, N.W.  
Washington, DC 20001-5197



## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) **Page 7** of the specification (description and claims).

RECEIVED

MAY 09 2002

OFFICE OF PETITIONS

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

---

*A copy of this notice **MUST** be returned with the reply.*

M. Dechaf  
Customer Service Center

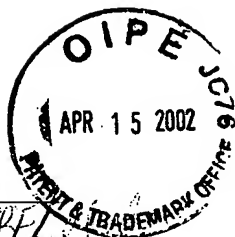
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**RECEIVED**

**MAY 09 2002**

**OFFICE OF PETITIONS**



FILED: January 10, 2002  
APPLICANT(S): Frederic TRIEBEL

DOCKET NO.: TRIEBEL-2A 2 of 2  
[PARENT CASE: \_\_\_\_\_]

THE PATENT AND TRADEMARK OFFICE STAMP HEREON  
ACKNOWLEDGES RECEIPT OF THE ABOVE-IDENTIFIED  
APPLICATION, INCLUDING THE FOLLOWING PAPERS:

☒ FEES \$ 824.00 PTO (CH.# 2038)

☒ NEW APPLICATION TRANSMITTAL LETTER

- ☐ ORIGINAL NON-PROVISIONAL UTILITY  
☐ CONTINUATION-IN-PART (37 CFR §1.53(b))  
☐ CONTINUATION (37 CFR §1.53(b))  
☒ DIVISIONAL (37 CFR §1.53(b))  
☐ DESIGN  
☐ PLANT  
☐ PROVISIONAL

☒ SPECIFICATION AND CLAIMS ( 25 pages)

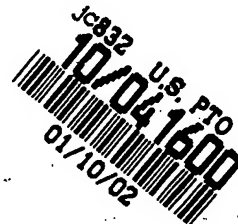
☒ DRAWINGS ( 8 sheets; 1-10 figures)

☐ SEQUENCE LISTING ☐ WITH DISK

☒ DECLARATION ( 2 pages)

☐ APPLICATION DATA SHEET

(SER1)



☐ INFORMATION DISCLOSURE STATEMENT ( \_\_\_\_\_ pages)

☒ FORM 1449 ( 2 pages)

☐ \_\_\_\_\_ PATENTS AND/OR PRINTED PUBLICATIONS

☒ PRELIMINARY AMENDMENT

☐ SUPPLEMENTAL PRELIMINARY AMENDMENT

☐ OTHER AMENDMENT

☐ \_\_\_\_\_ PRIORITY DOCUMENT(S) NO. \_\_\_\_\_

☐ OTHER \_\_\_\_\_

B&N-4

INITIALS: \_\_\_\_\_

RECEIVED  
MAY 09 2002  
OFFICE OF PETITIONS